

ZB# 83-42

John A. Petro

15-2-20

83-42 - Petw, John A.

Prelim. meeting:

12/12/83.

Public Hearing:

1/9/84 - Use Jarman
Granted for multi-fam.

Notice to

Sentinel

on 12/14/83 ✓

838.75

General Receipt

5584

TOWN OF NEW WINDSOR
555 Union Avenue
New Windsor, N. Y. 12550

Jan 17 1984

Received of

John A. Petro

\$25.00

Twenty-five DOLLARS

For Filing fee zoning variance 83-42

DISTRIBUTION:

FUND	CODE	AMOUNT
Check		2500
#2010		

By Pauline Townsend
Town Clerk

Williamson Law Book Co., Rochester, N. Y. 14609

JOHN A. PETRO
MARTHA PETRO

8 PARKHILL DRIVE 561-6519
NEW WINDSOR, NY 12550

2011

50-174
219

Dec 14 1983

PAY TO THE ORDER OF

Cash

\$65.00/100

Sixty five and 00/100

DOLLARS

HIGHLAND NATIONAL BANK

A NORSTAR BANK

VAL'S GATE OFFICE
ROUTE 32 & OLD TEMPLE HILL ROAD
VAL'S GATE, N.Y. 12584

FOR Myrtle Ave Postage & Cart

Martha Petro

⑆021901748⑆ ⑆012 1207 9⑆07

FUND	CODE	AMOUNT
Check #2010		2500

Williamson Law Book Co., Rochester, N. Y. 14609

By Pauline Townsend
Town Clerk
 Title

JOHN A. PETRO
 MARTHA PETRO
 8 PARKHILL DRIVE 581-6519
 NEW WINDSOR, NY 12550

2011

Dec 14 1983 50-174
219

PAY TO THE ORDER OF Cash \$ 65⁰⁰/₁₀₀

Sixty five and 00/100 DOLLARS

HIGHLAND NATIONAL BANK
A NORSTAR BANK
 VAILS GATE OFFICE
 ROUTE 32 & OLD TEMPLE HILL ROAD
 VAILS GATE, N.Y. 12584

FOR Myrtle Ave Postage Cent. Martha Petro

⑆021901748⑆ ⑈012 1207 9⑈07

15-2-26

ZONING BOARD OF APPEALS : TOWN OF NEW WINDSOR

-----x

In the Matter of the Application of

JOHN A. PETRO,

DECISION GRANTING
USE VARIANCE

83-42.

-----x

WHEREAS, JOHN A. PETRO of 8 Park Hill Drive,
New Windsor, N. Y., has made application before the
Zoning Board of Appeals for a use variance for the purposes of:

multi-family dwelling (4 apartments) in a one-family residential (R-4) zone;
at intersection of Foley Avenue and Myrtle Avenue, New Windsor;
and

WHEREAS, a public hearing was held on the 9th day of
January, 1984 at the Town Hall, 555 Union Avenue, New
Windsor, New York; and

WHEREAS, applicant appeared in his own behalf
_____ ; and

WHEREAS, the application was unopposed ; and

WHEREAS, the Zoning Board of Appeals of the Town of New
Windsor makes the following findings of fact in this matter:

1. The notice of public hearing was duly sent to residents
and businesses as prescribed by law and published in The Sentinel, also
as required by law.

2. The evidence shows: that applicant has a pre-existing
two-family dwelling located at the intersection of Foley and Myrtle
Avenues in a one-family residential area.

3. The evidence shows: that applicant has had two vacant
apartments in the building in addition to the pre-existing two apartments.
However, the additional apartments have never been rented or leased to
tenants previously and do not have pre-existing status under Zoning Local
Law.

4. The evidence shows: that applicant has ample parking
for at least 20 automobiles at the premises

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following findings of law in this matter:

1. The evidence indicates that the aforesaid circumstances or conditions are such that the strict application of the provisions of the local law would deprive the applicant of the reasonable use of such land or building.

2. The evidence indicates that the plight of the applicant is due to unique circumstances and not to general conditions suffered by other persons within the same zone.

3. The evidence shows that the application as presented does not alter the essential character of the neighborhood.

NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor grants a use variance as applied for and in connection with plans presented at the public hearing.

BE IT FURTHER,

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and the applicant.

Dated: January 23, 1984.


Chairman

John A. Petro

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK



1763

(25 on list)

25 R.R.

- ✓ De Fabio Vincent R & Rose D
1 Foley Ave
New Windsor NY 12550 510 083 123
- ✓ Petro Elizabeth 134
109 Myrtle Ave
New Windsor NY 12550
- ✓ Mastrorocco Edward & Rita
6 June Rd
Newburgh NY 12550 610 083 124
- ✓ Petro William & Shirley
101 Myrtle Ave
New Windsor NY 12550 135
- ✓ Crudele James & Elvira
90 Myrtle Ave
New Windsor NY 12550 510 083 125
- ✓ Jollie Edward L
32 Willow Lane 136
New Windsor NY 12550
- ✓ Spoto Alfonso & Rosalia
118 Myrtle Ave
New Windsor NY 12550 126
- ✓ Hotaling Richard & Mary Ann
95 Myrtle Ave
New Windsor NY 12550 137
- ✓ Di Chiaro Vincent & Theresa
122 Myrtle Ave
New Windsor NY 12550 127
- ✓ Mott Arthur D & Clara
91 Myrtle Ave
New Windsor NY 12550 138
- ✓ Yonnone Gus J & Anna
82 Merline Ave
New Windsor NY 12550 128
- ✓ Homin John F & Frances
91 Merline Ave
New Windsor NY 12550 139
- ✓ Dougherty William F Jr & Susan M
88 Merline Ave
New Windsor NY 12550 129
- ✓ Hotaling Howard & Josephine
14 Goodman Ave
New Windsor NY 12550 140
- ✓ Gilfeather Robert J & Rose H
90 Merline Ave
New Windsor NY 12550 130
- Virgillo Mary R
c/o Lavallee
16 Goodman Ave
New Windsor NY 12550 141
- ✓ Komar John
96 Merline Ave
New Windsor NY 12550 131
- ✓ Salamotoff Connie
78 Windsor Highway
New Windsor NY 12550 142
- ✓ Carlstrom James J & Anna R
106 Merline Ave
New Windsor NY 12550 132
- ✓ Naclerio John & Stephanie
87 Merline Ave
New Windsor NY 12550 143
- ✓ Vignogna Daniel Sr & Margaret C
111 Myrtle Ave
New Windsor NY 12550 133
- ✓ Ruscitti Joseph & Ida
PO Box 227
Walden NY 12586 144 38.75

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK



1763

✓ Cherry Allen R & Ruth
118 Cedar Ave
New Windsor NY 12550

145

✓ New Windsor Little League
PO Box 4024
New Windsor NY 12550

146

✓ Town of New Windsor
555 Union Ave
New Windsor NY 12550

147

1/9/84 - Public Hearing - Petro, John A.

Name:

Address:

J. Homei

91 Mainline Ave.

Joe Ruscitto

35 Walnut St

Vincent R. DeJabio FOLEY AVE

Rita Mastrococo Foley Ave

William Petro 101 Myrtle Ave



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK
(914) 565-8550

File

Date: January 11, 1984

Mr. John A. Petro
8 Park Hill Drive
New Windsor, NY 12550

RE: APPLICATION BEFORE ZONING BOARD OF APPEALS
83-42 - PETRO, JOHN A. - Use Variance

Dear Mr. Petro:

This is to confirm that your above application before the
New Windsor Zoning Board of Appeals was Granted
at a meeting held on the 9th day of January, 1984.

A formal decision will be drafted and acted upon at a later
date. You will be receiving a copy of same by return mail.

Meanwhile, if you have any further questions, please do not
hesitate to call me.

Yours very truly,

Patricia Delio

PATRICIA DELIO, Secretary
New Windsor Zoning Board of Appeals

/pd

cc: Patrick Kennedy, Bldg/Zoning Inspector
Town Planning Board

PUBLIC NOTICE OF HEARING BEFORE
ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals
of the TOWN OF NEW WINDSOR, New York will hold a
Public Hearing pursuant to Section 48-34A of the
Zoning Ordinance on the following proposition:

Appeal No. 42

Request of JOHN A. PETRO

for a VARIANCE ~~SPECIAL PERMIT~~ of
the regulations of the Zoning Ordinance to
permit MULTIPLE-FAMILY DWELLING IN ONE-FAMILY
RESIDENTIAL (R-4) ZONE

being a VARIANCE ~~SPECIAL PERMIT~~ of
Section 48-9 - Table of Use Regulations, Col. A
for property situated as follows:

Myrtle Avenue and Foley Avenue Intersection,
Town of New Windsor, N. Y.

SAID HEARING will take place on the 9th day of
January, 19 84, at the New Windsor Town Hall,
555 Union Avenue, New Windsor, N. Y. beginning at
7:30 o'clock P. M.

RICHARD FENWICK
Chairman

Prelim meeting:
12/12/83 -
7:30.

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TOWN OF NEW WINDSOR
ORANGE COUNTY, N. Y.
OFFICE OF ZONING - BUILDING INSPECTOR

83-42.

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

File No. Date December 5, 1983

To John A. Petro 561-6519
8 Park Hill Dr
New Windsor, N.Y. 12550

PLEASE TAKE NOTICE that your application dated December 5, 1983
for permit to Remodel existing structure for multifamily dwellings
at the premises located at Myrtle Ave and Foley Ave.

is returned herewith and disapproved on the following grounds:

Non-Conforming use? Existing building is in an R-4 single family residential zone and is being used as a 2 family residence. (shows as two family on tax roll)
Applicant wants to remodel existing unused space and create Two more dwelling units.

James J. Kennedy
Building Inspector

INTER-OFFICE CORRESPONDENCE

TO: TOWN PLANNING BOARD
TOWN BUILDING/ZONING INSPECTOR KENNEDY

FROM: ZONING BOARD OF APPEALS

SUBJECT: PUBLIC HEARINGS BEFORE ZBA
1/9/84

DATE: December 14, 1983

Please be advised that the following public hearings are scheduled to be heard before the ZBA on January 9, 1984:

Application of D'EGIDIO, DOMINICK

Application of PETRO, JOHN A.

I have attached hereto copies of the pertinent applications together with the public hearing notices which appeared in THE SENTINEL.

Pat

/pd

Attachments

100 1/21/87

(Note: The ZBA meets every 2nd and 4th Mon. of each month, except July and August.)

83-42

PROCEDURE FOR PUBLIC HEARING

In order to prepare for a public hearing before the Zoning Board of Appeals, the applicant must first prepare a public hearing notice, publication to appear in THE SENTINEL once at least ten (10) days prior to the public hearing date. When notice has been prepared, return it to the Zoning Board Secretary (Address below) so that she may transmit it to the newspaper in a timely manner. The cost of the publication is at the applicant's expense. The applicant, upon paying for the published notice, will receive an affidavit of publication. Three (3) copies of the application must also be completed and returned to the Secretary. NO PUBLIC HEARING DATE WILL BE SCHEDULED UNTIL ALL PAPERWORK IS COMPLETED AND RETURNED TO SECRETARY.

Registered or certified letters are to be sent to all property owners within a radius of 500 ft. from the subject property. This list may be obtained from the Town Assessor's office for a fee which is determined by the Town Assessor. Her office is located in the Town Hall. PLEASE ALLOW THE ASSESSOR'S OFFICE AT LEAST ONE WEEK TO PREPARE AND RETURN THE LIST. All registered or certified letters must have return receipts. All return receipts, copy of published notice, affidavit of publication from newspaper, copy of site plan with measurements, must be presented to the Secretary at the public hearing by the applicant. The list from the Assessor's Office, or copy thereof, must also be presented to the Secretary at the public hearing as part of the record. You may use the form Notice of Public Hearing as your letter of transmittal to all of the property owners within 500 ft. radius of the property in question. The letters must be postmarked at least ten (10) days previous to the public hearing.

Fees: A fee of \$50.00, payable to the TOWN OF NEW WINDSOR, must accompany all applications for commercial use. A fee of \$25.00 is required for residential applications. All fees are due at the time the applications are returned to the Secretary.

Please have your attorney determine whether Section 239 l and m of the General Municipal Law is applicable, and if so, send a copy of your application with plans attached, to: Orange County Planning Dept., 124 Main Street, Goshen, New York 10924. The applicant must notify the Orange County Planning Dept., if applies, sufficiently in advance of the public hearing to permit that Board time to review the application and advise the ZBA.

RETURN ALL PAPERWORK PROMPTLY TO:

PATRICIA DELIO, Secretary
New Windsor Zoning Board of Appeals
555 Union Avenue - Town Hall
New Windsor, N.Y. 12550 - 565-8550 (914)

Applicant's check list: (Return all to Secretary)

1. Three copies of application, site plans and maps.
2. Public Hearing notice (immediately)
3. Town Assessor's list.
4. Green cards (return receipts).
5. Fee for application.
6. Affidavit of publication from newspaper.

218'

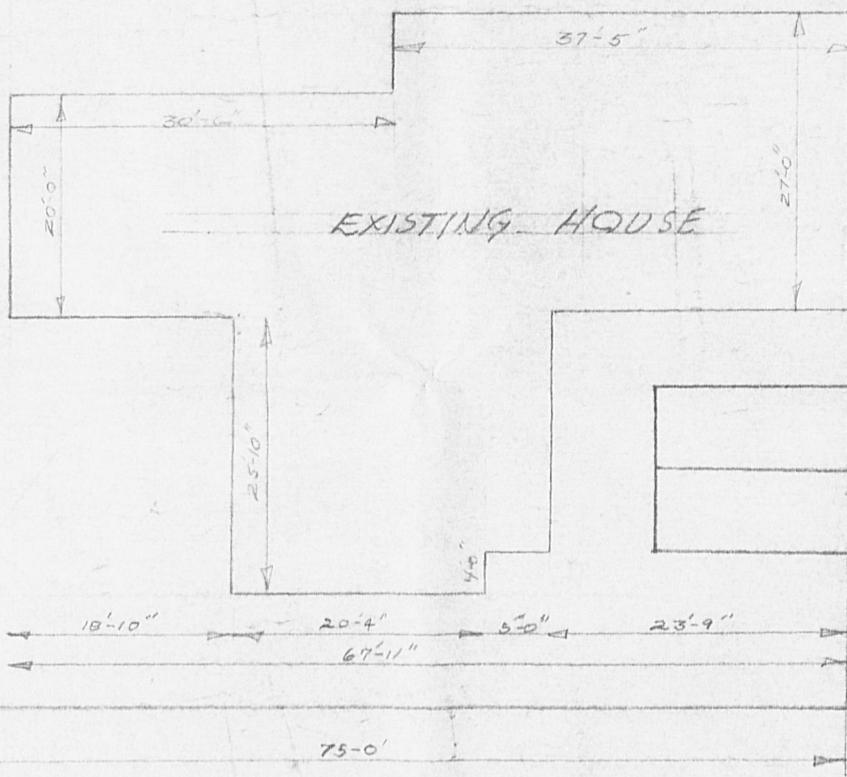
10x19

10x19

PARKING
SECTION LOT BLOCK
15-4-19

PARKING

SECT. LOT BLOCK
15-3-6



EXISTING HOUSE

FOLEY AVE

135'

SECTION LOT BLOCK
15-3-4

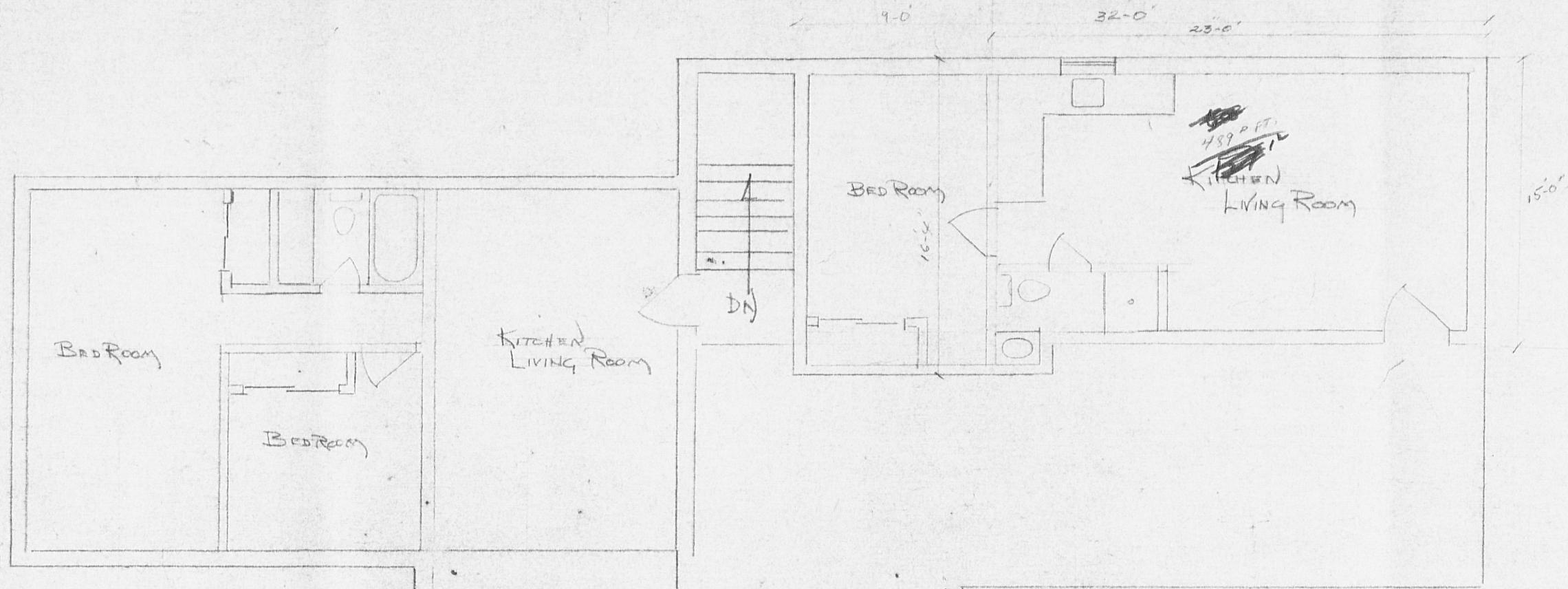
MYRTLE AV

SECTION LOT BLOCK
15-2-26

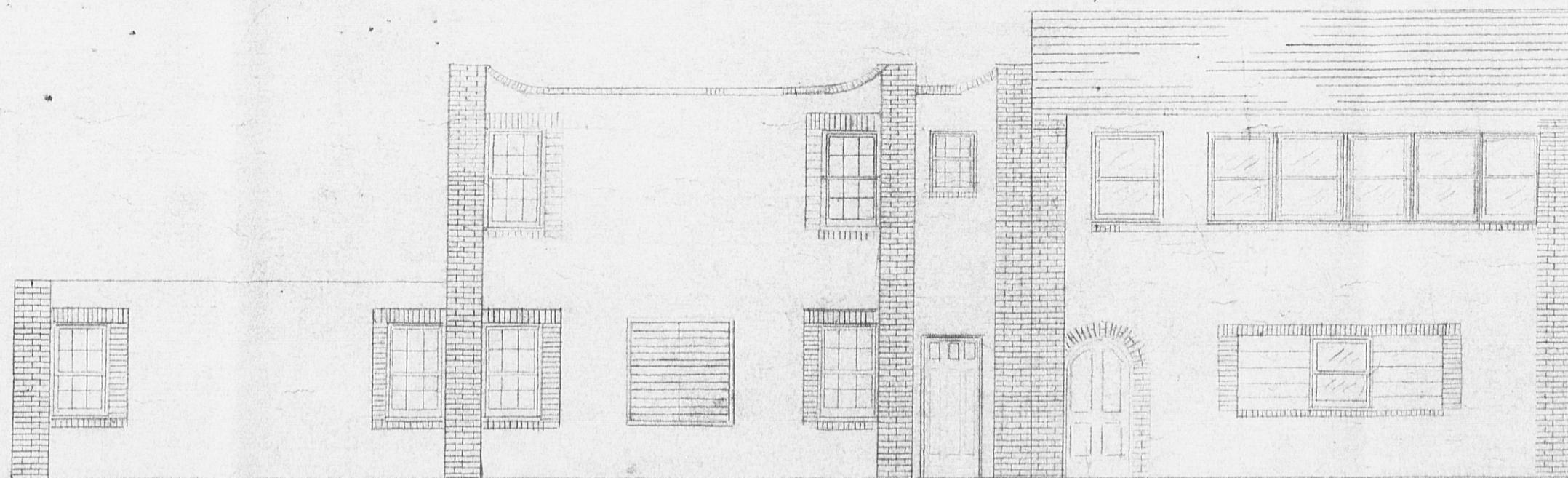
SCALE 1/4" = 10'

APARTMENT COMPLEX FOR JOHN A. DETRO	
DATE 9/1983	CHK BY:
DRAWN TAP	REVLSON
SITE PLAN	

1/3



PLAN TOP FL.
SCALE 1/4" = 1'-0"



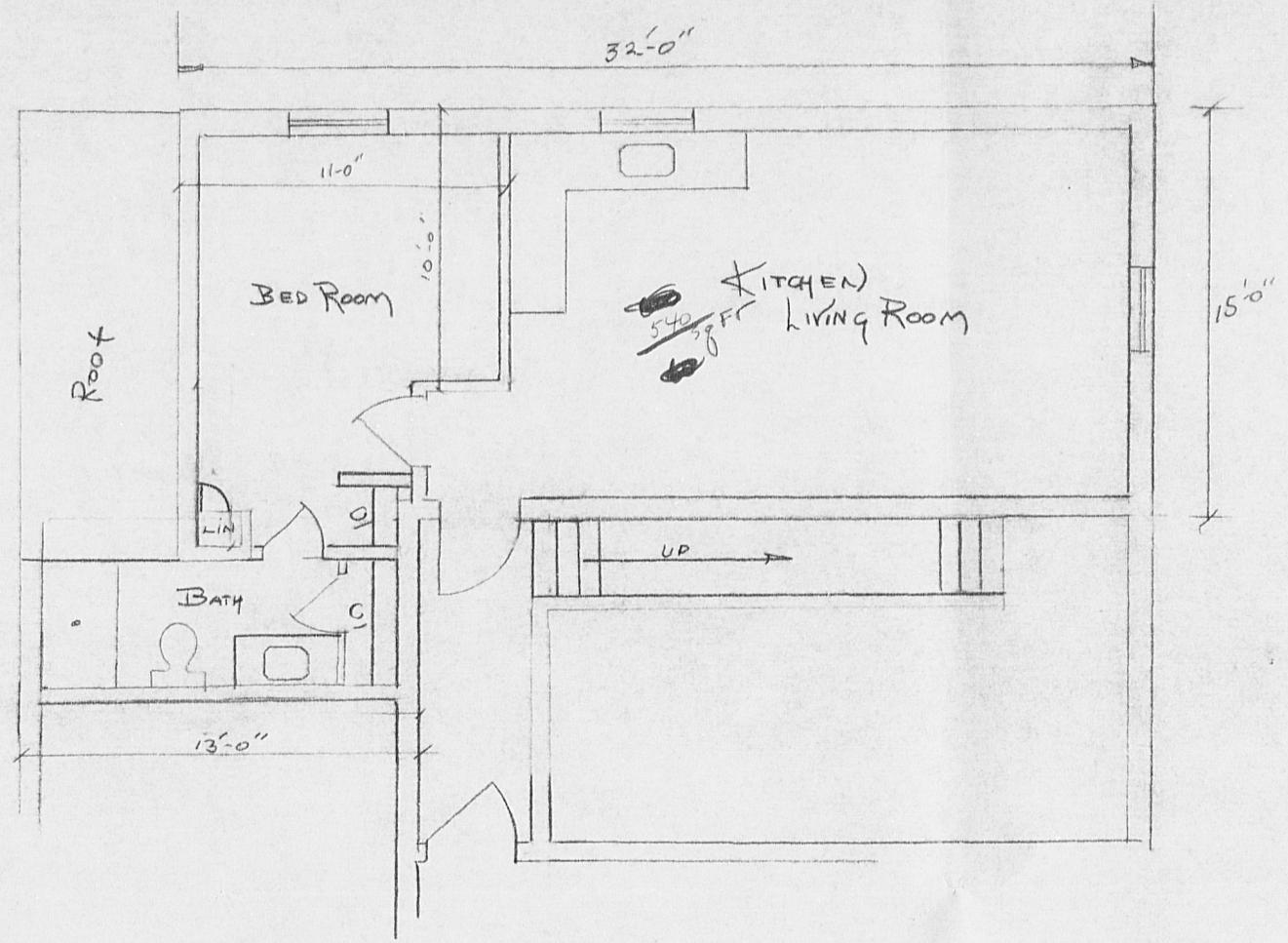
ELEVATION
SCALE 1/4" = 1'-0"

APARTMENT COMPLEX FOR JOHN A. PETERO

DATE: 9/3/62
DRAWN: JAP

CHK BY:
REV:

ELEVATION & PLAN VIEWS



PLAN BOTTOM FLOOR
 SCALE 1/4" = 1'-0"

APARTMENT COMPLEX FOR JOHN A. PETRO	
DATE 9/13/83	CHK BY:
DRAWN BY JAP	REVISION:
PLAN BOTTOM FLOOR	
3/3	